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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JESSE CRUZ, et al.,

Plaintiffs,

vs.

DANNY DURBIN, et al.,

Defendants.

Case No.: 2:11-cv-00342-GMN-VCF

**CONSOLIDATED WITH:**

Case Nos.: 2:12-cv-00051-GMN-VCF  
2:12-cv-01627-JAD-CWH

**STIPULATION TO CONTINUE DEADLINE  
FOR DISPOSITIVE MOTIONS AND  
STIPULATION REGARDING TRIAL  
CONSOLIDATION**

**[FIRST REQUEST]**

Pursuant to Fed. R. Civ. P. 6(b)(1)(a), LR 6-1, LR 6-2, and LR 7-1, Defendants Wabash National Corporation (“Wabash”), Danny Durbin, and Champion Transportation Services, Inc. (collectively “Defendants”), Plaintiffs Jesse Cruz and Geovany Martinez (collectively “Plaintiffs”), and Imperium Insurance, by and through the undersigned counsel, hereby stipulate to a two-week extension of the dispositive motion deadline and the deadline to submit a stipulation regarding consolidation of the remaining cases for trial, from **Friday May 15, 2015** to **Friday, May 29, 2015**. All remaining parties to these consolidated cases agree to this stipulation.

Federal Rule of Civil Procedure 6(b)(1) allows this Court to extend the time “with or without motion or notice if the court acts, or if a request is made, before the original time or its extension

1 expires” “for good cause.” Based on the circumstances set forth below, good cause exists for this  
2 Court to provide the requested extension.

3 Transcripts have not been provided by the respective court reporters for three depositions  
4 taken in the Midwest. Specifically, Plaintiffs and Wabash took the depositions of their respective  
5 experts in Lafayette, Indiana and Southfield, Michigan on **April 28 and April 29, 2015**.  
6 Additionally, Plaintiffs took the deposition of Wabash’s David Kunkel, who was disclosed a non-  
7 retained expert witness and a fact witness. To date, court reporters located where these depositions  
8 have taken place have not provided transcripts to any party to this case. These transcripts are  
9 essential for any dispositive motion the parties intend to file in this case. Similarly, these same  
10 transcripts may be necessary for any relevant oppositions to such motions.

11 There is no prejudice to any party or any potential trial date resulting from this two week  
12 extension requested herein, as Plaintiffs and Defendants will all require the deposition transcripts to  
13 the extent they wish to file or oppose dispositive motions.

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Similarly, good cause exists to briefly continue the deadline for a stipulation to consolidate the separate cases for trial, as any effort to reach a stipulation will require communication that has not been possible amongst all counsel this week.

Accordingly, the Defendants jointly request that the Court continue the **May 15, 2015** deadline for dispositive motions and a stipulation regarding trial consolidation two weeks until **May 29, 2015**.

Dated this 15th day of May, 2015.

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STEPHENSON & DICKINSON

By: /s/ Craig A. Newby

By: /s/ Michael Hottman

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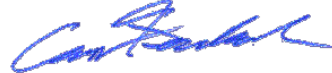
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**IT IS SO ORDERED:**



UNITED STATES MAGISTRATE JUDGE

DATED: May 15, 2015